

Issued in Burlington, Massachusetts, on February 28, 1995.

**James C. Jones,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

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## Federal Aviation Administration

### 14 CFR Part 39

[Docket No. 94-NM-97-AD; Amendment 39-9157; AD 95-04-05]

#### **Airworthiness Directives; Bombardier (Formerly Canadair) Model CL-600-2B19 (Regional Jet Series 100) Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) series airplanes, that requires various modifications of the passenger doors. This amendment is prompted by reports that some passenger doors froze shut during flight and could not be opened after landing the airplane. The actions specified by this AD are intended to prevent the passenger doors from freezing shut, and consequently, prohibiting the passengers from exiting the airplane in the event of an emergency.

**DATES:** Effective April 7, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 7, 1995.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Michele Maurer, Aerospace Engineer, Systems and Equipment Branch, ANE-173, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street,

Third Floor, Valley Stream, New York 11581; telephone (516) 256-7508; fax (516) 568-2716; telephone (516) 791-6427; fax (516) 791-9024.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) series airplanes was published in the **Federal Register** on October 28, 1994 (59 FR 54136). That action proposed to require various modifications of the passenger doors.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

The final rule has been revised to reflect the manufacturer's corporate name change from Canadair to "Bombardier, Inc."

Additionally, as a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been added to this final rule to clarify this long-standing requirement.

After careful review of the available data the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 17 airplanes of U.S. registry will be affected by this AD, that it will take approximately 67 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$10,945 per airplane. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$254,405, or \$14,965 per airplane.

The total cost impact figure discussed above is based on assumptions that no

operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

#### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### **Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### **PART 39—AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

##### **§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

**95-04-05 Bombardier, Inc. (Formerly Canadair):** Amendment 39-9157. Docket 94-NM-97-AD.

**Applicability:** Model CL-600-2B19 (Regional Jet Series 100) series airplanes, serial numbers 7003 and subsequent, certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been

modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (h) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent the inability of passengers to exit the airplane in the event of an emergency, accomplish the following:

(a) For airplanes having serial numbers 7004 through 7028, inclusive: Within 14 days after the effective date of this AD, and thereafter at intervals not to exceed 3 days until the action required by paragraph (e)(2) of this AD is accomplished, apply an anti-icing agent to the operating mechanisms of the passenger door in accordance with Canadair Alert Service Bulletin S.B. A601R-52-002, Revision 'C,' dated December 1, 1993.

(b) For airplanes having serial numbers 7004 through 7006, inclusive, and 7008 through 7010, inclusive: Within 14 days after the effective date of this AD, and thereafter at intervals not to exceed 300 hours time-in-service until the actions required by paragraphs (e)(1) and (e)(3) of this AD are accomplished, apply grease to the passenger door latch-pin fittings in accordance with Canadair Service Bulletin S.B. 601R-52-007, Revision 'B,' dated December 1, 1993.

(c) For airplanes having serial numbers 7004 through 7006, inclusive, and 7008 through 7010, inclusive: Within 14 days after the effective date of this AD, deactivate the pull-out handle located on the outside of the passenger door, in accordance with Canadair Alert Service Bulletin S.B. A601R-52-008, Revision 'B,' dated December 1, 1993.

(d) For airplanes having serial numbers 7004 through 7019, inclusive: Within 14 days after the effective date of this AD, install sealed insulation packages to the interior of the passenger door in accordance with Canadair Service Bulletin S.B. 601R-52-006, Revision 'B,' dated December 1, 1993.

(e) Within 60 days or 600 hours time-in-service after the effective date of this AD, whichever occurs first, accomplish the procedures specified in paragraphs (e)(1), (e)(2), and (e)(3) of this AD:

(1) For airplanes having serial numbers 7004 through 7024, inclusive: Modify the passenger door latch pin fittings, and install grease retain, grease tube, and nipple assembly; and grease the latch pins in accordance with paragraphs 2A and 2B of the Accomplishment Instructions of Canadair Alert Service Bulletin S.B. A601R-52-009, Revision 'B,' dated December 1, 1993.

(2) For airplanes having serial numbers 7004 through 7028, inclusive: Modify the

outer handle of the passenger door in accordance with Canadair Alert Service Bulletin S.B. A601R-52-021, Revision 'A,' dated December 7, 1993. Repetitive applications of an anti-ice agent, as required by paragraph (a) of this AD, must be discontinued upon accomplishment of the modification required by this paragraph.

(3) For airplanes having serial numbers 7004 through 7024, inclusive: Install placards adjacent to the door latch pins on the passenger door structure in accordance with Canadair Service Bulletin S.B. 601R-11-007, dated December 1, 1993.

(f) Accomplishment of the actions required by paragraphs (e)(1) and (e)(3) of this AD constitutes terminating action for the repetitive greasing requirements of paragraph (b) of this AD.

(g) For airplanes having serial numbers 7003 and subsequent: Within 300 hours time-in-service after accomplishing the applicable modifications required by paragraphs (e)(1), (e)(2), and (e)(3) of this AD, and thereafter at intervals not to exceed 300 hours time-in-service, accomplish the lubrication procedures in specified paragraphs (g)(1) and (g)(2) of this AD.

(1) Lubricate the passenger door latch pins in accordance with paragraph 2B, Part "A," Items (26) through (28), of the Accomplishment Instructions of Canadair Alert Service Bulletin S.B. A601R-52-009, Revision B, dated December 1, 1993.

(2) Lubricate the passenger door outer handle assembly in accordance with paragraph 2B, Item (28), of the Accomplishment Instructions of Canadair Alert Service Bulletin S.B. A601R-52-021, Revision A, dated December 7, 1993.

(h) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(i) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(j) The actions shall be done in accordance with Canadair Alert Service Bulletin S.B. A601R-52-002, Revision 'C,' dated December 1, 1993; Canadair Service Bulletin S.B. 601R-52-007, Revision 'B,' dated December 1, 1993; Canadair Alert Service Bulletin S.B. A601R-52-008, Revision 'B,' dated December 1, 1993; Canadair Service Bulletin S.B. 601R-52-006, Revision 'B,' dated December 1, 1993; Canadair Alert Service Bulletin S.B. A601R-52-009, Revision 'B,' dated December 1, 1993; Canadair Alert Service Bulletin S.B. A601R-52-021, Revision 'A,' dated December 7, 1993; and Canadair Service Bulletin S.B. 601R-11-007, dated December 1, 1993; as applicable. This incorporation by

reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

This amendment becomes effective on April 17, 1995.

Issued in Renton, Washington, on February 15, 1995.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95-4256 Filed 3-7-95; 8:45 am]

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## 14 CFR Part 71

[Airspace Docket No. 93-AWP-19]

### Amendment to Class D Airspace; Luke Air Force Base (AFB), AZ

**AGENCY:** Federal Aviation Administration [FAA], DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects an error in the Class D airspace area description in a final rule that was published in the **Federal Register** on January 19, 1995. The FAA has obtained additional airport data and is revising the description of the Luke AFB, AZ Class D airspace area based on this data.

**EFFECTIVE DATE:** 0901 UTC, March 30, 1995.

**FOR FURTHER INFORMATION CONTACT:** Charles Register, System Management Specialist, System Management Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 297-1640.

#### SUPPLEMENTARY INFORMATION:

##### History

Airspace Docket No. 93-AWP-19, published on January 19, 1995 (60 FR 3741), revised the description of the Class D airspace at Luke AFB, AZ to provide adequate controlled airspace for instrument approach procedures. An error was discovered in the Class D airspace area description for Luke AFB AZ. The FAA has obtained additional airport data and is revising the description of the Luke AFB, AZ Class D airspace area based on this data.